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From: Igor Litvak <Igor@LitvakLawNY.com>

Sent: Tuesday, May 31, 2022 7:39 PM

To: Paul Weeks <PWeeks@KSLAW.com>; Laura Harris <lharris@kslaw.com>; Luke Roniger <LRoniger@KSLAW.com>

Cc: Andrew Michaelson <amichaelson@kslaw.com>; Sumon Dantiki <sdantiki@kslaw.com>; Matthew Bush <mbush@kslaw.com>

Subject: Re: Rule 26(f) Report

CAUTION: MAIL FROM OUTSIDE THE FIRM

Laura see attached, I adopted your proposed language as to Paragraph E and modified paragraph C. I also made a change to the time to file motion for summary judgment, I moved everything by a week back.

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From: Paul Weeks <PWeeks@KSLAW.com>

Sent: Tuesday, May 31, 2022 5:50 PM

To: Igor Litvak <Igor@LitvakLawNY.com>; Laura Harris <lharris@kslaw.com>; Luke Roniger <LRoniger@KSLAW.com>

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Subject: RE: Rule 26(f) Report

Thanks for your time earlier, Igor. Below please find a revised Section E -- intended to capture where we collectively landed on our call earlier. Please let us know if you have any further comments or revisions to this section.

We'll keep an eye out for your crack at revisions to Section C (regarding ESI) based on our call.

Thanks,
Paul

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E. Limitations on Discovery – Rule 26(f)(3)(E)

The parties agree that the first phase of fact discovery will be limited as set forth herein. The parties reserve their respective rights to meet and confer regarding the scope of discovery to commence after the conclusion of the first phase of fact discovery, and prior to serving discovery requests beyond those contemplated by the first phase of fact discovery. Google's position is that any discovery after the first stage of fact discovery should be limited to the remaining factual issues identified by the Court in its Opinion and Order: (1) Defendants' claimed "lack [of] knowledge of the criminal schemes that Google alleges they control"; (2) Defendants' claim that they "did not intend to target U.S. users"; and (3) Defendants' claim that "user participation in their services is entirely legitimate and voluntary." ECF 62 at 11. Defendants' position is that any discovery after the first stage of fact discovery should not be so limited, and should include Google's investigation of the Defendants, and any matters and issues related to the same.

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From: Igor Litvak <Igor@LitvakLawNY.com>

Sent: Tuesday, May 31, 2022 4:16 PM

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Subject: Re: Rule 26(f) Report